Date: 10/24/2005 Time: 10:52:44 AM

JOEL MILLER ATTORNEY AT LAW 17 WESTWOOD DRIVE SOUTH WEST ORANGE, N.J. 07052 (973) 736-8306 FAX (973) 731-0133 RECEIVED
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Re: Application No. 10/781,584

Contents:

Response to Office Action (restriction requirement) (1 page)

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lin et al.

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Serial No.: 10/791,584

Pursuant to 37 C.F.R. § 1.8

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Tool for Inserting a Wax Guard into the Receiver Tube of a

Hearing Instrument

Joel Miller

Filed:

March 2, 2004

Attorney Name

29,955 Reg. No.

Group:

Signature

October 24, 2005 Date of Signature

3726

Examiner:

John C. Hong

Att'y Dkt.:

2004 P 03446 US

## Response

Commissioner for Patents -

P.O. Box 1450

Alexandria, VA 22313-1450

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Sir:

On page 2 of the Office Action mailed September 28, 2005, a restriction requirement is set forth, listing two categories of invention, a tool and a method. The office action states that category I comprises claims 1-4 and that category II comprises claim 5. However, claim 4 is an independent method claim, from which claim 5 depends, and therefore claim 4 properly belongs in category II. Subject to that correction, the applicants elect the invention in category II, specifically claims 4 and 5.

Dated: October 24, 2005

Respectfully submitted,

Joel Miller

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Attorney for Applicant(s)